

REMARKS

None of the claims have been amended or cancelled. Claims 11-14, 17-20, 22-24, and 38-41 are pending and under consideration. Claims 11 and 38-41 are the independent claims. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §103:

Claim 40 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kweon et al. (U.S. Patent No. 6,183,911) in view of Gao et al. (U.S. Pre-Grant Publication No. 2002/0127175) in view of Maegawa et al. (U.S. Patent No. 6,383,235).

Regarding the rejection of independent claim 40, it is noted that Kweon has a publication date of February 6, 2001, whereas the present application claims priority to October 9, 2000 and has a U.S. filing date of July 28, 2003. Further, enclosed are verified English translations of Korean Patent Application Nos. 2001-26468 and 2000-59336, along with a statement from the translator in compliance with 37 CFR 1.55(a)(4). Accordingly, the Applicants respectfully assert that Kweon does not qualify as prior art under 35 U.S.C. §102(b) or §102(a).

Furthermore, the Applicants note that Kweon, assigned to Samsung Display Devices Co., Ltd, and the present application, assigned to Samsung SDI Co., Ltd, are the same entities and thus, Kweon and the present application, name a same assignee. Accordingly, it is respectfully submitted that 35 U.S.C. §103(c) applies, such that Kweon is not a valid reference under 35 U.S.C. §103(a). Specifically, pursuant to 35 U.S.C. §103(c), "[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person."

Accordingly, since Kweon is not a valid reference under 35 U.S.C. §103(a) and neither Gao nor Maegawa, whether taken singly or combined, teach or suggest the novel features of independent claim 40, the Applicants respectfully request that the rejection of claim 40 be withdrawn.

ALLOWABLE SUBJECT MATTER:

Claims 11-14, 17-20, 22-24, 38, 39, and 41 are allowed.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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